IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 13449 of 2004

Between:
T. Joseph Prasad, S/o. Isaiah, working as School Assistant
and Full Addl. Charge Head Master in St. Theresa's High School,
Ongole, Prakasam District.

.... PETITIONER

AND

1 The Govt. of A.P. rep by its Secretary, for School Education, Secretariat, Hyderabad.
2 The Director/Commissioner of School Education, Lakdikapool, Hyderabad.
3 The Regional Joint Director, School Education, Guntur Region, Guntur, Guntur District.
4 The District Educational Officer, Ongole, Prakasam District.
5 The Correspondent, St. Theresa's High School, Ongole, Prakasam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents, as illegal, irregular and against the principles of natural justice in not continuing as Head Master Full Addl, Charge in the 5th respondent Institution, pending finalization of Inter-Se-Seniority, between Mr. K. V. Krishna Reddy and Joji Reddy, and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.G.LAKSHMI

Counsel for the Respondents 1 to 4: GP FOR SCHOOL

EDUCATION

The Court made the following:

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.13449 OF 2004

ORDER:

This writ petition is filed seeking a *mandamus* declaring the action of the respondents in not continuing the petitioner as Head Master (Full Additional Charge) of the 5th respondent Institution- St.Theresa's High School, Ongole, Prakasham District, as arbitrary and illegal.

According to the petitioner, he was put on Full Additional Charge of the post of Head Master of the 5th respondent- Institution and the seniors, those who are fighting for the position, ultimately retired from service and thereafter one Mr.Jojaiah was appointed as In-charge Head Master. It is stated that, in fact, the petitioner was the In-charge Head Master and he cannot be replaced by another In-charge.

A detailed counter is filed on behalf of the respondents, asserting that Jojaiah who is presently working as In charge Head Master is senior to the petitioner and therefore, he was rightly appointed as such and the petitioner has to wait for his turn, till the retirement of Jojaiah.

Be that as it may, it appears that the petitioner made a detailed representation ventilating his grievance before the Regional Joint Director of School Education, Guntur on 20.9.2004 and the same is still pending.

In view of the above, without expressing any opinion on the merits of the case, the Regional Joint Director, Guntur is directed to dispose of

the representation purported to have been filed by the petitioner and pass appropriate orders as per law, within a period of eight weeks from the date of receipt of a copy of this order, after hearing all the parties concerned and communicate the same to the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

C.V.RAMULU, J

5th July 2007
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THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.13449 OF 2004

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DATED : 05.07.2007